

REMARKS/ARGUMENTS

Claims 1-11 are active with Claim 6 withdrawn.

Support for claims 7-11 is found in the Examples of the specification as well as original claims 3-5.

A reference to the earlier PCT application is provided in the specification. A substitute Abstract is also provided with this paper.

Claim 1 is amended to include the recitation of the preamble in the body of the claim and Claim 2 is amended for grammatical clarity. Withdrawal of the rejection under 35 USC 112, second paragraph is requested.

No new matter is believed to have been added.

The rejection of Claims 1-5 under 35 USC 102(b) citing Sano (1991) is not applicable to the claims because contrary to the position outlined in the rejection, Sano does not teach germinating seeds in a suitable medium in the presence of 5-azaCytidine as claimed. Rather, Sano teaches treating germinated seedlings with azaC.

Claim 1 recites (emphasis provided):

(a) germinating seeds in a suitable medium in the presence of 5-azaCytidine in quantities ranging from 0.1 mM to 2 mM, thereby forming shoots;

Sano describes (emphasis provided):

Approximately 100 seedlings . . . were treated with 0.3mM azaC for 3 days . . (pp. 228, col. 1)

When germinated rice seedlings were treated with 0.3 mM azaC . . . (pp. 228, col. 2)

Therefore it is clear that Sano teaches treating seedlings, i.e., seeds after they have been germinated from seeds, and cannot be the same as that which is claimed.

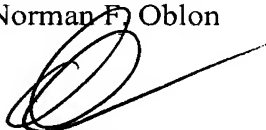
As explained on page 1 of the application, by treating the seeds with 5-azaC in the germination phase, demethylation can be induced. In this way, it is possible to obtain “totipotent” seedlings capable of expressing as many genes as possible regardless of the development phase of the plant (Cf. Claim 1: in different development phases of plants). In contrast, Sano describes the isolation of a novel GTP-binding protein (and related encoding *rgpl* gene) whose expression is reduced in rice seedlings treated with 5-azaC. On page 231, first paragraph, right column, Sano stated that the reduced expression of *rgpl* gene in plants treated with 5-azaC is unexpected, due to the fact that it is an inhibitor of DNA methylation.

Withdrawal of the rejection is requested.

A Notice of Allowance is requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Daniel J. Pereira
Attorney of Record
Registration No. 45,518

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)
CJA/rac